

1979—Applicability to funds appropriated by any Act for fiscal year ending Sept. 30, 1980, of limitation of section 304 of Pub. L. 95-391 on use of funds to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above level V of the Executive Schedule, see section 101 of Pub. L. 96-86, set out as a note under section 5318 of Title 5.

1978—Limitations on use of funds for fiscal year ending Sept. 30, 1979, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above level V of the Executive Schedule, see section 304 of Pub. L. 95-391 and section 613 of Pub. L. 95-429, set out as a note under section 5318 of Title 5.

1977 COMPARABILITY ADJUSTMENT NOT EFFECTIVE FOR JUSTICES, JUDGES, COMMISSIONERS, AND REFEREES

Pub. L. 95-66, §1(3), July 11, 1977, 91 Stat. 270, set out as a note under section 5318 of Title 5, Government Organization and Employees, provided that the first adjustment which, but for the enactment of Pub. L. 95-66, would have been made in the salary and rate of pay of justices, judges, commissioners, and referees under this section after July 11, 1977, would not take effect.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5, 44, 135, 213, 252, 371, 792 of this title.

§ 462. Court accommodations

(a) Sessions of courts of the United States (except the Supreme Court) shall be held only at places where the Director of the Administrative Office of the United States Courts provides accommodations, or where suitable accommodations are furnished without cost to the judicial branch.

(b) The Director of the Administrative Office of the United States Courts shall provide accommodations, including chambers and courtrooms, only at places where regular sessions of court are authorized by law to be held, but only if the judicial council of the appropriate circuit has approved the accommodations as necessary.

(c) The limitations and restrictions contained in subsection (b) of this section shall not prevent the Director from furnishing chambers to circuit judges at places within the circuit other than where regular sessions of court are authorized by law to be held, when the judicial council of the circuit approves.

(d) The Director of the Administrative Office of the United States Courts shall provide permanent accommodations for the United States Court of Appeals for the Federal Circuit and for the United States Court of Federal Claims only at the District of Columbia. However, each such court may hold regular and special sessions at other places utilizing the accommodations which the Director provides to other courts.

(e) The Director of the Administrative Office of the United States Courts shall provide accommodations for probation officers, pretrial service officers, and Federal Public Defender Organizations at such places as may be approved by the judicial council of the appropriate circuit.

(f) Upon the request of the Director, the Administrator of General Services is authorized and directed to provide the accommodations the Director requests, and to close accommodations which the Director recommends for closure with the approval of the Judicial Conference of the United States.

(Added Pub. L. 97-164, title I, §115(c)(1), Apr. 2, 1982, 96 Stat. 31; amended Pub. L. 100-702, title X, §1015, Nov. 19, 1988, 102 Stat. 4669; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516.)

AMENDMENTS

1992—Subsec. (d). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1988—Subsec. (c). Pub. L. 100-702 substituted “within the circuit other than where regular sessions of court are authorized by law to be held,” for “where Federal facilities are available”.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as an Effective Date of 1982 Amendment note under section 171 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 460 of this title.

§ 463. Expenses of litigation

Whenever a Chief Justice, justice, judge, officer, or employee of any United States court is sued in his official capacity, or is otherwise required to defend acts taken or omissions made in his official capacity, and the services of an attorney for the Government are not reasonably available pursuant to chapter 31 of this title, the Director of the Administrative Office of the United States Courts may pay the costs of his defense. The Director shall prescribe regulations for such payments subject to the approval of the Judicial Conference of the United States.

(Added Pub. L. 97-164, title I, §116(a), Apr. 2, 1982, 96 Stat. 32.)

EFFECTIVE DATE

Section effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as an Effective Date of 1982 Amendment note under section 171 of this title.

CHAPTER 23—CIVIL JUSTICE EXPENSE AND DELAY REDUCTION PLANS

Sec.	
471.	Requirement for a district court civil justice expense and delay reduction plan.
472.	Development and implementation of a civil justice expense and delay reduction plan.
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§ 471. Requirement for a district court civil justice expense and delay reduction plan

There shall be implemented by each United States district court, in accordance with this

chapter, a civil justice expense and delay reduction plan. The plan may be a plan developed by such district court or a model plan developed by the Judicial Conference of the United States. The purposes of each plan are to facilitate deliberate adjudication of civil cases on the merits, monitor discovery, improve litigation management, and ensure just, speedy, and inexpensive resolutions of civil disputes.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5090; amended Pub. L. 102-198, §2(1), Dec. 9, 1991, 105 Stat. 1623.)

AMENDMENTS

1991—Pub. L. 102-198 substituted “this chapter” for “this title”.

CONGRESSIONAL STATEMENT OF FINDINGS

Section 102 of Pub. L. 101-650 provided that: “The Congress makes the following findings:

“(1) The problems of cost and delay in civil litigation in any United States district court must be addressed in the context of the full range of demands made on the district court’s resources by both civil and criminal matters.

“(2) The courts, the litigants, the litigants’ attorneys, and the Congress and the executive branch, share responsibility for cost and delay in civil litigation and its impact on access to the courts, adjudication of cases on the merits, and the ability of the civil justice system to provide proper and timely judicial relief for aggrieved parties.

“(3) The solutions to problems of cost and delay must include significant contributions by the courts, the litigants, the litigants’ attorneys, and by the Congress and the executive branch.

“(4) In identifying, developing, and implementing solutions to problems of cost and delay in civil litigation, it is necessary to achieve a method of consultation so that individual judicial officers, litigants, and litigants’ attorneys who have developed techniques for litigation management and cost and delay reduction can effectively and promptly communicate those techniques to all participants in the civil justice system.

“(5) Evidence suggests that an effective litigation management and cost and delay reduction program should incorporate several interrelated principles, including—

“(A) the differential treatment of cases that provides for individualized and specific management according to their needs, complexity, duration, and probable litigation careers;

“(B) early involvement of a judicial officer in planning the progress of a case, controlling the discovery process, and scheduling hearings, trials, and other litigation events;

“(C) regular communication between a judicial officer and attorneys during the pretrial process; and

“(D) utilization of alternative dispute resolution programs in appropriate cases.

“(6) Because the increasing volume and complexity of civil and criminal cases imposes increasingly heavy workload burdens on judicial officers, clerks of court, and other court personnel, it is necessary to create an effective administrative structure to ensure ongoing consultation and communication regarding effective litigation management and cost and delay reduction principles and techniques.”

IMPLEMENTATION OF PLANS

Section 103(b), (c) of Pub. L. 101-650, as amended by Pub. L. 102-572, title V, §505, Oct. 29, 1992, 106 Stat. 4513; Pub. L. 105-53, §2, Oct. 6, 1997, 111 Stat. 1173; Pub. L. 106-518, title II, §206, Nov. 13, 2000, 114 Stat. 2414, provided that:

“(b) IMPLEMENTATION.—(1) Except as provided in section 105 of this Act [set out below], each United States district court shall, within three years after the date of the enactment of this title [Dec. 1, 1990], implement a civil justice expense and delay reduction plan under section 471 of title 28, United States Code, as added by subsection (a).

“(2)(A) The requirements set forth in sections 471, 472, 473, 474, 475, 477, and 478 of title 28, United States Code, as added by subsection (a), shall remain in effect for seven years after the date of the enactment of this title.

“(B) The requirements set forth in section 476 of title 28, United States Code, as added by subsection (a), shall remain in effect permanently.

“(c) EARLY IMPLEMENTATION DISTRICT COURTS.—

“(1) Any United States district court that, no earlier than June 30, 1991, and no later than December 31, 1991, develops and implements a civil justice expense and delay reduction plan under chapter 23 of title 28, United States Code, as added by subsection (a), shall be designated by the Judicial Conference of the United States as an Early Implementation District Court.

“(2) The chief judge of a district so designated may apply to the Judicial Conference for additional resources, including technological and personnel support and information systems, necessary to implement its civil justice expense and delay reduction plan. The Judicial Conference may provide such resources out of funds appropriated pursuant to section 106(a) [Pub. L. 101-650, title I, Dec. 1, 1990, 104 Stat. 5098].

“(3) Within 18 months after the date of the enactment of this title [Dec. 1, 1990], the Judicial Conference shall prepare a report on the plans developed and implemented by the Early Implementation District Courts.

“(4) The Director of the Administrative Office of the United States Courts shall transmit to the United States district courts and to the Committees on the Judiciary of the Senate and House of Representatives—

“(A) copies of the plans developed and implemented by the Early Implementation District Courts;

“(B) summaries of the reports submitted by such district courts pursuant to section 472(d) of title 28, United States Code, as added by subsection (a); and

“(C) the report prepared in accordance with paragraph (3) of this subsection.”

DEMONSTRATION PROGRAM

Section 104 of Pub. L. 101-650, as amended by Pub. L. 104-33, §1, Oct. 3, 1995, 109 Stat. 292; Pub. L. 104-317, title VI, §608(a), Oct. 19, 1996, 110 Stat. 3860, provided that:

“(a) IN GENERAL.—(1) During the 5-year period beginning on January 1, 1991, the Judicial Conference of the United States shall conduct a demonstration program in accordance with subsection (b).

“(2) A district court participating in the demonstration program may also be an Early Implementation District Court under section 103(c) [set out above].

“(b) PROGRAM REQUIREMENT.—(1) The United States District Court for the Western District of Michigan and the United States District Court for the Northern District of Ohio shall experiment with systems of differentiated case management that provide specifically for the assignment of cases to appropriate processing tracks that operate under distinct and explicit rules, procedures, and timeframes for the completion of discovery and for trial.

“(2) The United States District Court for the Northern District of California, the United States District Court for the Northern District of West Virginia, and the United States District Court for the Western District of Missouri shall experiment with various methods of reducing cost and delay in civil litigation, including alternative dispute resolution, that such district courts and the Judicial Conference of the United States shall select.

“(c) **STUDY OF RESULTS.**—The Judicial Conference of the United States, in consultation with the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts, shall study the experience of the district courts under the demonstration program.

“(d) **REPORT.**—Not later than June 30, 1997, the Judicial Conference of the United States shall transmit to the Committees on the Judiciary of the Senate and the House of Representatives a report of the results of the demonstration program.”

PILOT PROGRAM

Section 105 of Pub. L. 101-650, as amended by Pub. L. 103-420, § 4, Oct. 25, 1994, 108 Stat. 4345; Pub. L. 104-317, title VI, § 608(b), Oct. 19, 1996, 110 Stat. 3860, provided that:

“(a) **IN GENERAL.**—(1) During the 5-year period beginning on January 1, 1991, the Judicial Conference of the United States shall conduct a pilot program in accordance with subsection (b).

“(2) A district court participating in the pilot program shall be designated as an Early Implementation District Court under section 103(c) [set out above].

“(b) **PROGRAM REQUIREMENTS.**—(1) Ten district courts (in this section referred to as ‘Pilot Districts’) designated by the Judicial Conference of the United States shall implement expense and delay reduction plans under chapter 23 of title 28, United States Code (as added by section 103(a)), not later than December 31, 1991. In addition to complying with all other applicable provisions of chapter 23 of title 28, United States Code (as added by section 103(a)), the expense and delay reduction plans implemented by the Pilot Districts shall include the 6 principles and guidelines of litigation management and cost and delay reduction identified in section 473(a) of title 28, United States Code.

“(2) At least 5 of the Pilot Districts designated by the Judicial Conference shall be judicial districts encompassing metropolitan areas.

“(3) The expense and delay reduction plans implemented by the Pilot Districts shall remain in effect for a period of 4 years. At the end of that 4-year period, the Pilot Districts shall no longer be required to include, in their expense and delay reduction plans, the 6 principles and guidelines of litigation management and cost and delay reduction described in paragraph (1).

“(c) **PROGRAM STUDY REPORT.**—(1) Not later than June 30, 1997, the Judicial Conference shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report on the results of the pilot program under this section that includes an assessment of the extent to which costs and delays were reduced as a result of the program. The report shall compare those results to the impact on costs and delays in ten comparable judicial districts for which the application of section 473(a) of title 28, United States Code, had been discretionary. That comparison shall be based on a study conducted by an independent organization with expertise in the area of Federal court management.

“(2)(A) The Judicial Conference shall include in its report a recommendation as to whether some or all district courts should be required to include, in their expense and delay reduction plans, the 6 principles and guidelines of litigation management and cost and delay reduction identified in section 473(a) of title 28, United States Code.

“(B) If the Judicial Conference recommends in its report that some or all district courts be required to include such principles and guidelines in their expense and delay reduction plans, the Judicial Conference shall initiate proceedings for the prescription of rules implementing its recommendation, pursuant to chapter 131 of title 28, United States Code.

“(C) If in its report the Judicial Conference does not recommend an expansion of the pilot program under subparagraph (A), the Judicial Conference shall identify alternative, more effective cost and delay reduction programs that should be implemented in light of

the findings of the Judicial Conference in its report, and the Judicial Conference may initiate proceedings for the prescription of rules implementing its recommendation, pursuant to chapter 131 of title 28, United States Code.”

§ 472. Development and implementation of a civil justice expense and delay reduction plan

(a) The civil justice expense and delay reduction plan implemented by a district court shall be developed or selected, as the case may be, after consideration of the recommendations of an advisory group appointed in accordance with section 478 of this title.

(b) The advisory group of a United States district court shall submit to the court a report, which shall be made available to the public and which shall include—

(1) an assessment of the matters referred to in subsection (c)(1);

(2) the basis for its recommendation that the district court develop a plan or select a model plan;

(3) recommended measures, rules and programs; and

(4) an explanation of the manner in which the recommended plan complies with section 473 of this title.

(c)(1) In developing its recommendations, the advisory group of a district court shall promptly complete a thorough assessment of the state of the court’s civil and criminal dockets. In performing the assessment for a district court, the advisory group shall—

(A) determine the condition of the civil and criminal dockets;

(B) identify trends in case filings and in the demands being placed on the court’s resources;

(C) identify the principal causes of cost and delay in civil litigation, giving consideration to such potential causes as court procedures and the ways in which litigants and their attorneys approach and conduct litigation; and

(D) examine the extent to which costs and delays could be reduced by a better assessment of the impact of new legislation on the courts.

(2) In developing its recommendations, the advisory group of a district court shall take into account the particular needs and circumstances of the district court, litigants in such court, and the litigants’ attorneys.

(3) The advisory group of a district court shall ensure that its recommended actions include significant contributions to be made by the court, the litigants, and the litigants’ attorneys toward reducing cost and delay and thereby facilitating access to the courts.

(d) The chief judge of the district court shall transmit a copy of the plan implemented in accordance with subsection (a) and the report prepared in accordance with subsection (b) of this section to—

(1) the Director of the Administrative Office of the United States Courts;

(2) the judicial council of the circuit in which the district court is located; and

(3) the chief judge of each of the other United States district courts located in such circuit.

(Added Pub. L. 101-650, title I, § 103(a), Dec. 1, 1990, 104 Stat. 5090.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 473, 474, 478, 479 of this title.

§ 473. Content of civil justice expense and delay reduction plans

(a) In formulating the provisions of its civil justice expense and delay reduction plan, each United States district court, in consultation with an advisory group appointed under section 478 of this title, shall consider and may include the following principles and guidelines of litigation management and cost and delay reduction:

(1) systematic, differential treatment of civil cases that tailors the level of individualized and case specific management to such criteria as case complexity, the amount of time reasonably needed to prepare the case for trial, and the judicial and other resources required and available for the preparation and disposition of the case;

(2) early and ongoing control of the pretrial process through involvement of a judicial officer in—

(A) assessing and planning the progress of a case;

(B) setting early, firm trial dates, such that the trial is scheduled to occur within eighteen months after the filing of the complaint, unless a judicial officer certifies that—

(i) the demands of the case and its complexity make such a trial date incompatible with serving the ends of justice; or

(ii) the trial cannot reasonably be held within such time because of the complexity of the case or the number or complexity of pending criminal cases;

(C) controlling the extent of discovery and the time for completion of discovery, and ensuring compliance with appropriate requested discovery in a timely fashion; and

(D) setting, at the earliest practicable time, deadlines for filing motions and a time framework for their disposition;

(3) for all cases that the court or an individual judicial officer determines are complex and any other appropriate cases, careful and deliberate monitoring through a discovery-case management conference or a series of such conferences at which the presiding judicial officer—

(A) explores the parties' receptivity to, and the propriety of, settlement or proceeding with the litigation;

(B) identifies or formulates the principal issues in contention and, in appropriate cases, provides for the staged resolution or bifurcation of issues for trial consistent with Rule 42(b) of the Federal Rules of Civil Procedure;

(C) prepares a discovery schedule and plan consistent with any presumptive time limits that a district court may set for the completion of discovery and with any procedures a district court may develop to—

(i) identify and limit the volume of discovery available to avoid unnecessary or unduly burdensome or expensive discovery; and

(ii) phase discovery into two or more stages; and

(D) sets, at the earliest practicable time, deadlines for filing motions and a time framework for their disposition;

(4) encouragement of cost-effective discovery through voluntary exchange of information among litigants and their attorneys and through the use of cooperative discovery devices;

(5) conservation of judicial resources by prohibiting the consideration of discovery motions unless accompanied by a certification that the moving party has made a reasonable and good faith effort to reach agreement with opposing counsel on the matters set forth in the motion; and

(6) authorization to refer appropriate cases to alternative dispute resolution programs that—

(A) have been designated for use in a district court; or

(B) the court may make available, including mediation, minitrial, and summary jury trial.

(b) In formulating the provisions of its civil justice expense and delay reduction plan, each United States district court, in consultation with an advisory group appointed under section 478 of this title, shall consider and may include the following litigation management and cost and delay reduction techniques:

(1) a requirement that counsel for each party to a case jointly present a discovery-case management plan for the case at the initial pretrial conference, or explain the reasons for their failure to do so;

(2) a requirement that each party be represented at each pretrial conference by an attorney who has the authority to bind that party regarding all matters previously identified by the court for discussion at the conference and all reasonably related matters;

(3) a requirement that all requests for extensions of deadlines for completion of discovery or for postponement of the trial be signed by the attorney and the party making the request;

(4) a neutral evaluation program for the presentation of the legal and factual basis of a case to a neutral court representative selected by the court at a nonbinding conference conducted early in the litigation;

(5) a requirement that, upon notice by the court, representatives of the parties with authority to bind them in settlement discussions be present or available by telephone during any settlement conference; and

(6) such other features as the district court considers appropriate after considering the recommendations of the advisory group referred to in section 472(a) of this title.

(c) Nothing in a civil justice expense and delay reduction plan relating to the settlement authority provisions of this section shall alter or conflict with the authority of the Attorney General to conduct litigation on behalf of the United States, or any delegation of the Attorney General.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5091.)

REFERENCES IN TEXT

The Federal Rules of Civil Procedure, referred to in subsec. (a)(3)(B), are set out in the Appendix to this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 472, 477 of this title.

§ 474. Review of district court action

(a)(1) The chief judge of each district court in a circuit and the chief judge of the circuit shall, as a committee—

(A) review each plan and report submitted pursuant to section 472(d) of this title; and

(B) make such suggestions for additional actions or modified actions of that district court as the committee considers appropriate for reducing cost and delay in civil litigation in the district court.

(2) The chief judge of a circuit may designate another judge of the court of appeals of that circuit, and the chief judge of a district court may designate another judge of such court, to perform that chief judge's responsibilities under paragraph (1) of this subsection.

(b) The Judicial Conference of the United States—

(1) shall review each plan and report submitted by a district court pursuant to section 472(d) of this title; and

(2) may request the district court to take additional action if the Judicial Conference determines that such court has not adequately responded to the conditions relevant to the civil and criminal dockets of the court or to the recommendations of the district court's advisory group.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093; amended Pub. L. 102-198, §2(2), Dec. 9, 1991, 105 Stat. 1623.)

AMENDMENTS

1991—Subsec. (a)(1). Pub. L. 102-198, §2(2)(A), substituted “chief judge” for “chief judges” and struck out “court of appeals for such” after “judge of the” in introductory provisions.

Subsec. (a)(2). Pub. L. 102-198, §2(2)(B), substituted “circuit may designate another judge of the court of appeals of that circuit,” for “court of appeals” and “court, to perform that” for “court to perform the”.

§ 475. Periodic district court assessment

After developing or selecting a civil justice expense and delay reduction plan, each United States district court shall assess annually the condition of the court's civil and criminal dockets with a view to determining appropriate additional actions that may be taken by the court to reduce cost and delay in civil litigation and to improve the litigation management practices of the court. In performing such assessment, the court shall consult with an advisory group appointed in accordance with section 478 of this title.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093.)

§ 476. Enhancement of judicial information dissemination

(a) The Director of the Administrative Office of the United States Courts shall prepare a semiannual report, available to the public, that discloses for each judicial officer—

(1) the number of motions that have been pending for more than six months and the name of each case in which such motion has been pending;

(2) the number of bench trials that have been submitted for more than six months and the name of each case in which such trials are under submission; and

(3) the number and names of cases that have not been terminated within three years after filing.

(b) To ensure uniformity of reporting, the standards for categorization or characterization of judicial actions to be prescribed in accordance with section 481 of this title shall apply to the semiannual report prepared under subsection (a).

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5093.)

§ 477. Model civil justice expense and delay reduction plan

(a)(1) Based on the plans developed and implemented by the United States district courts designated as Early Implementation District Courts pursuant to section 103(c) of the Civil Justice Reform Act of 1990, the Judicial Conference of the United States may develop one or more model civil justice expense and delay reduction plans. Any such model plan shall be accompanied by a report explaining the manner in which the plan complies with section 473 of this title.

(2) The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts may make recommendations to the Judicial Conference regarding the development of any model civil justice expense and delay reduction plan.

(b) The Director of the Administrative Office of the United States Courts shall transmit to the United States district courts and to the Committees on the Judiciary of the Senate and the House of Representatives copies of any model plan and accompanying report.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5094.)

REFERENCES IN TEXT

Section 103(c) of the Civil Justice Reform Act of 1990 [Pub. L. 101-650], referred to in subsec. (a)(1), is set out as a note under section 471 of this title.

§ 478. Advisory groups

(a) Within ninety days after the date of the enactment of this chapter, the advisory group required in each United States district court in accordance with section 472 of this title shall be appointed by the chief judge of each district court, after consultation with the other judges of such court.

(b) The advisory group of a district court shall be balanced and include attorneys and other per-

sons who are representative of major categories of litigants in such court, as determined by the chief judge of such court.

(c) Subject to subsection (d), in no event shall any member of the advisory group serve longer than four years.

(d) Notwithstanding subsection (c), the United States Attorney for a judicial district, or his or her designee, shall be a permanent member of the advisory group for that district court.

(e) The chief judge of a United States district court may designate a reporter for each advisory group, who may be compensated in accordance with guidelines established by the Judicial Conference of the United States.

(f) The members of an advisory group of a United States district court and any person designated as a reporter for such group shall be considered as independent contractors of such court when in the performance of official duties of the advisory group and may not, solely by reason of service on or for the advisory group, be prohibited from practicing law before such court.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5094.)

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in subsec. (a), is the date of enactment of Pub. L. 101-650, which was approved Dec. 1, 1990.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 472, 473, 475 of this title.

§ 479. Information on litigation management and cost and delay reduction

(a) Within four years after the date of the enactment of this chapter, the Judicial Conference of the United States shall prepare a comprehensive report on all plans received pursuant to section 472(d) of this title. The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts may make recommendations regarding such report to the Judicial Conference during the preparation of the report. The Judicial Conference shall transmit copies of the report to the United States district courts and to the Committees on the Judiciary of the Senate and the House of Representatives.

(b) The Judicial Conference of the United States shall, on a continuing basis—

- (1) study ways to improve litigation management and dispute resolution services in the district courts; and
- (2) make recommendations to the district courts on ways to improve such services.

(c)(1) The Judicial Conference of the United States shall prepare, periodically revise, and transmit to the United States district courts a Manual for Litigation Management and Cost and Delay Reduction. The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts may make recommendations regarding the preparation of and any subsequent revisions to the Manual.

(2) The Manual shall be developed after careful evaluation of the plans implemented under sec-

tion 472 of this title, the demonstration program conducted under section 104 of the Civil Justice Reform Act of 1990, and the pilot program conducted under section 105 of the Civil Justice Reform Act of 1990.

(3) The Manual shall contain a description and analysis of the litigation management, cost and delay reduction principles and techniques, and alternative dispute resolution programs considered most effective by the Judicial Conference, the Director of the Federal Judicial Center, and the Director of the Administrative Office of the United States Courts.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in subsec. (a), is the date of enactment of Pub. L. 101-650, which was approved Dec. 1, 1990.

Sections 104 and 105 of the Civil Justice Reform Act of 1990 [Pub. L. 101-650], referred to in subsec. (c)(2), are set out as notes under section 471 of this title.

§ 480. Training programs

The Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts shall develop and conduct comprehensive education and training programs to ensure that all judicial officers, clerks of court, courtroom deputies, and other appropriate court personnel are thoroughly familiar with the most recent available information and analyses about litigation management and other techniques for reducing cost and expediting the resolution of civil litigation. The curriculum of such training programs shall be periodically revised to reflect such information and analyses.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

§ 481. Automated case information

(a) The Director of the Administrative Office of the United States Courts shall ensure that each United States district court has the automated capability readily to retrieve information about the status of each case in such court.

(b)(1) In carrying out subsection (a), the Director shall prescribe—

(A) the information to be recorded in district court automated systems; and

(B) standards for uniform categorization or characterization of judicial actions for the purpose of recording information on judicial actions in the district court automated systems.

(2) The uniform standards prescribed under paragraph (1)(B) of this subsection shall include a definition of what constitutes a dismissal of a case and standards for measuring the period for which a motion has been pending.

(c) Each United States district court shall record information as prescribed pursuant to subsection (b) of this section.

(Added Pub. L. 101-650, title I, §103(a), Dec. 1, 1990, 104 Stat. 5095.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 476 of this title.

§ 482. Definitions

As used in this chapter, the term “judicial officer” means a United States district court judge or a United States magistrate judge.

(Added Pub. L. 101-650, title I, §103(a), title III, §321, Dec. 1, 1990, 104 Stat. 5096, 5117.)

CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title.

PART II—DEPARTMENT OF JUSTICE

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AMENDMENTS

2002—Pub. L. 107-273, div. B, title IV, §4003(b)(6), Nov. 2, 2002, 116 Stat. 1812, inserted “Service” after “Marshals” in item for chapter 37.

1986—Pub. L. 99-554, title I, §144(g)(2), Oct. 27, 1986, 100 Stat. 3097, substituted “40” for “39” in item relating to Independent Counsel.

1983—Pub. L. 97-409, §2(a)(2), Jan. 3, 1983, 96 Stat. 2039, substituted “Independent Counsel” for “Special Prosecutor” in item for second chapter 39.

1978—Pub. L. 95-598, title II, §224(b), Nov. 6, 1978, 92 Stat. 2664, added item for chapter 39, “United States Trustees”, effective Oct. 1, 1979.

Pub. L. 95-521, title VI, §601(b), Oct. 26, 1978, 92 Stat. 1873, added item for chapter 39 “Special Prosecutor”.

1966—Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 611, added items for chapters 31 and 33 and redesignated items for former chapters 31 and 33 as 35 and 37, respectively.

CHAPTER 31—THE ATTORNEY GENERAL

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503.	Attorney General.
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504a.	Associate Attorney General.
505.	Solicitor General.
506.	Assistant Attorneys General.
507.	Assistant Attorney General for Administration.
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509.	Functions of the Attorney General.
510.	Delegation of authority.
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514.	Legal services on pending claims in departments and agencies.
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525.	Procurement of law books, reference books, and periodicals; sale and exchange.
526.	Authority of the Attorney General to investigate United States attorneys, marshals, trustees, clerks of court, and others. ¹
527.	Establishment of working capital fund.
528.	Disqualification of officers and employees of the Department of Justice.
529.	Annual report of Attorney General.
530.	Payment of travel and transportation expenses of newly appointed special agents.
530A.	Authorization of appropriations for travel and related expenses and for health care of personnel serving abroad.
530B.	Ethical standards for attorneys for the Government.
530C.	Authority to use available funds.
530D.	Report on enforcement of laws.

AMENDMENTS

2002—Pub. L. 107-273, div. A, title II, §201(b), 202(b)(1), div. B, title IV, §4003(b)(5), Nov. 2, 2002, 116 Stat. 1771, 1774, 1811, in item 526, struck out “and” before “trustees”, and added items 530C and 530D.

1998—Pub. L. 105-277, div. A, §101(b) [title VIII, §801(b)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-119, added item 530B.

1992—Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516, substituted “United States Court of Federal Claims” for “United States Claims Court” in item 520.

1988—Pub. L. 100-690, title VI, §6281(b), Nov. 18, 1988, 102 Stat. 4369, added item 530A.

1983—Pub. L. 98-86, §2, Aug. 26, 1983, 97 Stat. 492, added item 530.

1982—Pub. L. 97-258, §2(g)(1)(A), Sept. 13, 1982, 96 Stat. 1060, substituted “Availability of appropriations” for “Appropriations for administrative expenses; notarial fees; meals and lodging of bailiffs” in item 524.

Pub. L. 97-164, title I, §118(b), Apr. 2, 1982, 96 Stat. 33, substituted “United States Claims Court or in United States Court of Appeals for the Federal Circuit” for “Court of Claims” in item 520.

1978—Pub. L. 95-598, title II, §219(c), Nov. 6, 1978, 92 Stat. 2662, inserted reference to trustees in item 526.

Pub. L. 95-521, title VI, §603(b), Oct. 26, 1978, 92 Stat. 1875, added items 528 and 529.

1977—Pub. L. 95-139, §1(b), Oct. 19, 1977, 91 Stat. 1171, added item 504a.

1975—Pub. L. 93-613, §1(2), Jan. 2, 1975, 88 Stat. 1975, added item 527.

1966—Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 611, substituted “THE ATTORNEY GENERAL” for “UNITED STATES ATTORNEYS” in chapter heading, “Executive Department” for “Appointment of United States attorneys” in item 501, “Seal” for “Appointment of assistant United States attorneys” in item 502, “Attorney General” for “Appointment of attorneys” in item 503, “Deputy Attorney General” for “Tenure and oath of office; removal” in item 504, “Solicitor General” for “Residence” in item 505, “Assistant Attorney General” for “Vacancies” in item 506, “Assistant Attorney General for Administration” for “Duties; supervision by Attorney General” in item 507, “Vacancies” for “Salaries” in item 508, “Functions of the Attorney General” for “Expenses” in item 509, “Delegation of authority” for “Clerical assistants and messengers” in item 510, and added items 511 to 526.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 463 of this title; title 42 section 7192.

¹ So in original. Does not conform to section catchline.